

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
JUNE 16, 1982

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, June 16, 1982 in the City Hall Council Chambers.

ROLL CALL	Present: Council Members - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)
	Absent: Council Members - None
	Also Present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche
INVOCATION	The invocation was given by Assistant City Manager Glenn
PLEDGE	The Pledge of Allegiance to the flag was led by Mayor Reid
COMMUNICATIONS	City Clerk Reimche presented the following claims which had been filed against the City: <ul style="list-style-type: none"> <li>a) James Hubbard DOL 1/8/82</li> <li>b) Bonnie Aldred DOL 3/4/82</li> </ul>
CLAIMS	On recommendation of R. L. Kautz and Company and the City Attorney, Council on motion of Mayor Reid, Murphy second, denied the heretofore listed Claims and referred them to R. L. Kautz and Company, the City Contract Administrator.
MAINTENANCE OF TREES IN PARKWAYS	City Clerk Reimche presented a letter which had been received from Viola Fahrner, 424 S. School Street, Lodi, regarding the responsibility for the maintenance of the trees in parkways at that address. Mayor Reid referred the matter to Staff, requesting a report from Staff at the July 7, 1982 Council meeting.
ABANDONED VEHICLE ABATEMENT PROGRAM TO TERMINATE	The City Clerk apprised the Council of receipt of an Information Bulletin from the Department of California Highway Patrol stating that the Abandoned Vehicle Abatement Program (AVA) will terminate June 30, 1982. Mayor Reid asked how this will affect the recently awarded Contract with Debco Towing and was advised that Staff would check and report back to Council.
PUC APPLICATION	City Clerk Reimche presented a letter which had been received from Pacific Gas and Electric Company giving notice that in Application No. 82 06 09, it has requested authorization, effective August 1, 1982 to decrease electric rates under the ECAG tariff and requesting authority to establish an Electric Revenue Adjustment Mechanism (ERAM) rate in accordance with Public Utilities Commission Decision No. 93887, and to establish an Annual Energy Rate in accordance with Decision 92496.

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ABC LICENSE  
APPLICATIONS

cc 7-11-82

An Application for Alcoholic Beverage License was presented which had been received from Kenneth R. / Linda S. Browning, Dean/Sherri Miller, Gregory Myers, Ronald Thomas, Cannery Foods, 1831 South Stockton Street, Lodi -- Off Sale Beer and Wine.

REQUEST FOR  
STOP SIGNS  
CORNERS OF LEE  
AND PARK  
STREETS

cc 7-11-82

Council, on motion of Mayor Pro Tempore Murphy, Pinkerton second, referred to Staff the petition received from Paula Hewitt et al requesting that the City of Lodi install stop signs at the corners of Lee and Park Street (running north-south). Council asked for a report from Staff at the July 7, 1982 Council meeting on the matter.

## PUC APPLICATION

cc 7-11-82

City Clerk Reimche presented a Notice which had been received from Pacific Telephone Company stating they have filed an amendment to their application, originally filed August 1, 1980, with the California Public Utilities Commission. The filing seeks an increase in rates to offset an increase in depreciation expenses due largely to recent approvals by the Federal Communications Commission and the CPUC of new depreciation rates for telephone terminal equipment that reflect the shorter lives of the equipment brought about by advances in technology and increasing competition. A Public Hearing on the amendment will be held at 10:00 a.m., July 12, 1982 at the CPUC, 350 McAllister Street in San Francisco.

NAOMI MC CALLUM  
CAREY  
NOMINATED TO  
S.J. COUNTY  
ARTS COMMISSION

cc 7-11-82

City Clerk Reimche presented a letter which had been received from George L. Barber, Supervisor San Joaquin County commending the City Council on its recommendation of the appointment of Naomi McCallum Carey to the San Joaquin County Arts Commission and indicating that he intends to nominate Mrs. Carey to the Commission.

APPRECIATION  
RECEIVED FROM  
STATE FIRE  
MARSHAL'S OFFICE  
ON LODI BURN TO  
LEARN PROJECT

cc 7-11-82

City Clerk Reimche presented a letter which had been received from Edward W. Bent, Supervisor, Fire Service Training and Education Program, State Fire Marshal's Office expressing their appreciation to the City of Lodi for allowing the "Lodi Burn to Learn Project" and applauding the Lodi Fire Department for their part in the project.

LETTER RECEIVED  
FROM ASSEMBLY-  
MAN ROBERT  
NAYLOR REGARD-  
ING STATE SUB-  
VENTIONS

cc 7-11-82

City Clerk Reimche presented a letter received from Assemblyman Robert W. Naylor in reply to Lodi's recent letter on state aid to local governments, which read in part as follows:

"We are in complete agreement that the Governor's proposal to cut \$450 million from local funding is totally un-acceptable. My Assembly Republican colleagues and I are insisting that at least \$200 million be added to the budget for local government aid. The Governor's proposal would restructure the financial relationship to the extent that some cities would actually be subsidizing the State budget".

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PLANNING  
COMMISSIONER  
L. D. TONN RESIGNS

Following receipt of a letter from Planning Commissioner L. D. Tonn advising of his resignation from the Commission effective June 14, 1982, Mayor Fred Reid directed the City Clerk to do the required posting for applications to fill the resulting vacancy on the Lodi City Planning Commission.

APPLICATION FOR  
RATE INCREASE  
FILED BY LODI  
CABLE TV

Council received an Application from King Video-Cable Company, dba Lodi Cable TV to the City Council of the City of Lodi for approval to raise its rates pursuant to Resolution 80-64.

REQUEST RECEIVED  
FOR CROSSWALK WITH  
A GRADED CURB BOTH  
SIDES OF STREET  
BETWEEN FAIRMONT  
REHABILITATION  
HOSPITAL AND LODI  
MEMORIAL HOSPITAL

Council referred to Staff a request received from Fairmont Rehabilitation Hospital for a crosswalk with a graded curb, both sides of the street between that facility and Lodi Memorial Hospital.

REPORT ON COSTS OF  
APRIL 1982 GENERAL  
MUNICIPAL ELECTION

City Clerk Reimche presented a cost breakdown on the April 1982 General Municipal Election stating that the total cost of the election was \$15,039.11. That the cost per registered voter amounted to .869¢ and that the total cost came in at approximately \$3,000.00 under budget. Mrs. Reimche commended the Oral Assistance Only Committee for their efforts in formulating a plan to reduce these costs.

INVITATION TO  
P. G. & E. ZIP  
PROGRAM WORK-  
SHOP

City Clerk Reimche announced that an invitation had been received from P. G. & E. to attend a workshop in their new "ZIP" (Zero Interest Program) which workshop is to be held at the P. G. & E. Auditorium in Stockton on Monday, June 21, 1983 from 10:00 a.m. to 2:00 p.m.

ANIMAL CONTROL  
FINES AND FEES  
FOR REDEMPTION

City Attorney Stein apprised the Council that Mr. Paul Brewer visited his office recently with a complaint as to the minimal amount of the redemption fine for impounded cats. Mr. Stein apprised the Council that no changes had been made on redemption fees since 1944. The present redemption fee for impounded dogs is as follows:

1st offense \$2.00 per day  
2nd offense \$4.00 per day  
3rd offense \$10.00 per day

Feeding charge \$0.25 per day

The redemption fee for cats is \$0.25 per day with a \$0.10 daily feeding charge.

Mr. Brewer then addressed the Council regarding the matter, and Council discussion followed:

Councilman Pinkerton then moved the adoption of Resolution No. 82-56 to bring the cat redemption fees in line with those for the redemption of impounded dogs. The motion was seconded by Mayor Pro Tempore Murphy. Council discussion followed with the maker of the motion withdrawing his motion and the second being withdrawn.

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RES. NO. 82-56

Councilman Snider then moved for adoption of Resolution No. 82-56 setting the redemption fees for impounded cats and dogs to be as follows:

1st offense	\$5.00 per day
2nd offense	\$10.00 per day
3rd offense	\$15.00 per day

Feeding charge: \$1.50 per day

The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

COMMENTS BY  
CITY COUNCIL  
MEMBERS

RELOCATION OF  
POLES ON CHURCH  
STREET - LOCKEFORD  
TO TURNER

Following introduction of the matter by Mayor Pro Tempore Murphy, Public Works Director Ronsko was directed to correspond with the Pacific Telephone Company to ascertain that they are on schedule with their pole relocation on Church Street (Lockeford to Turner).

INFORMATION SOUGHT  
REGARDING ALLOWING  
A BREAK TO LOCAL  
BIDDERS ON CITY  
CONTRACTS

Following introduction of the matter by Council Member Snider, Staff was directed to obtain information from other Cities on ordinances allowing local businesses a break in bidding for City Contracts.

Council Member Pinkerton introduced a discussion regarding the Governor's proposal to reduce local funding, subventions, and State mandated costs.

A lengthy discussion followed with Staff being directed to compile information for Council regarding identifiable State mandated costs.

COUNCIL OPPOSES  
STATE MANDATED  
COSTS

On motion of Councilman Snider, Murphy second, the City Clerk was directed to prepare a letter to the League of California Cities indicating this City's willingness to support the League and any of its Committees or Task Forces in opposing State mandated costs.

APPOINTMENTS TO  
VARIOUS BOARDS  
AND COMMISSIONS

Mayor Reid with the concurrence of the City Council, on his motion, Pinkerton second, made the following appointments to various Board and Commissions effective July 1, 1982:

Library Board of Trustees

Dr. Milton Bergantz      3 year term  
Prof. Leonard Humphreys      3 year term

Planning Commission

Joanne Hoffman      4 year term

Economic Development Agency-S. J. County

Robert Spoor      4 year term

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REPORTS OF THE  
CITY MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Council Member James Pinkerton, Murphy second, were approved by the Council.

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CLAIMS

00-210

CLAIMS WERE APPROVED IN THE AMOUNT OF \$712,103.87.

PLANS AND SPECS  
FOR WEST LOCKE-  
FORD STREET  
IMPROVEMENTS  
APPROVED

00-45(a)

Council approved the plans and specifications for "Lockeford Street Improvements - Ham Lane to California Street" and authorized the City Clerk to advertise for bids thereon.

In general, the work consists of reconstructing and widening the street, including upgrading the water system and providing for future traffic signals at California and Lockeford.

SPECS FOR ROCK  
AND SAND MATERIAL  
APPROVED

00-47

Council approved the specifications for rock and sand material for F. Y. 1982/83 and authorized the purchasing agent to advertise for bids thereon.

SPECS FOR ASPHALT  
MATERIAL APPROVED

00-47

Council approved the specifications for Asphalt Material for the first quarter of fiscal year 1982/83 and authorized the purchasing agent to advertise for bids thereon.

SPECS FOR PURCHASE  
OF WATTHOUR METERS  
APPROVED

00-47

Council approved the specifications for the purchase of 480 watthour meters and authorized the purchasing agent to advertise for bids thereon.

ORDER VACATING  
A PORTION OF  
DAISY AVENUE  
AMENDED

00-52(a)

Council was apprised that in December 1981, when the Order vacating a portion of Daisy Avenue was filed, a standard paragraph reserving this entire vacated area as an easement was included as part of the Order. In addition, a 10-foot easement for existing utilities was also reserved.

Council amended the order vacating a portion of Daisy Avenue between Pleasant Avenue and Church Street to delete the following paragraph:

"Reserving, however, and excepting from the vacation of said portion of said street, the permanent easement and that right therein to construct, maintain, repair, and operate lines for public utilities, both publicly and privately owned, in, over, and across said Street".

With this deletion, the order will retain only that 10-foot utility easement that is now being used.

AGREEMENTS TO  
R/W ACQUISITION  
FOR WEST LOCKE-  
FORD STREET PROJECT

00-50

Council was apprised that during the design process of the West Lockeford Street Project, it has become apparent that several small "corner cutoffs" and easements for overhead and underground lines are

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necessary for proper design and construction. In total, seven parcels are affected, and the values will run from \$25.00 to \$150.00 with one parcel being valued at \$405.00.

Council authorized the City Manager and City Clerk to approve and execute agreements relating to the Lockeford Street Project, California to Ham Lane.

City Manager Graves presented the following bids which had been received for "Emerson Park Curb and Gutter" project:

<u>Bidder</u>	<u>Bid</u>
Case Construction Co.	\$11,310.50
Chas. I. Cunningham	\$14,806.25
H. Max Lee	\$15,050.00
Popuch Concrete	\$15,649.25
Granite Construction	\$17,265.50
Teichert Construction	\$24,915.00

Following recommendation of the City Manager, Council adopted the following resolution:

AWARD - CONTRACT  
FOR EMERSON PARK  
CURB AND GUTTER

RESOLUTION NO. 82-57

RES. NO. 82-57

RESOLUTION AWARDED THE BID FOR "EMERSON PARK CURB AND GUTTER" TO CASE CONSTRUCTION, THE LOW BIDDER, IN THE AMOUNT OF \$11,310.50.

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Agenda item "j" - "Hutchins Street Alley (between Lee and Hutchins and Walnut and Lodi Avenue)" was introduced by Staff with diagrams of the subject area being presented for Council's perusal.

Council discussion followed with questions being directed to Staff.

HUTCHINS ALLEY  
ABANDONMENT

On motion of Councilman Pinkerton, Murphy second, Council determined the subject alley to be as it now exists and has been used and traveled from curb returns on east to curb returns on west.

Following additional discussion, Council, on motion of Councilman Pinkerton, Murphy second, requested that Mr. and Mrs. D. J. Campbell and Mr. Maurice Ray submit to the City a copy of their insured title reports on the parcels of land they purchased from the school district as Council felt it was necessary to have this information prior to deciding how to resolve the Hutchins Alley Alignment and Abandonment. The City Clerk was directed to place this item on the Agenda for the August 4, 1982 Council meeting.

TURNER ROAD  
EXTENSION

City Attorney Stein introduced Agenda item "k" - "Turner Road Extension" in regards to the Jerome/Snell Properties appraisals advising that at the March 10, 1982 City Council meeting, Staff was informed by the Council that it was Council's intention to acquire the required rights-of-way from the Jeromes and Snells for the Turner Road widening and Council

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directed Staff to proceed with the appraisal work.

Subsequent thereto, Craig Hubbard, MAI Appraiser contacted the Jeromes and Snells with the idea of appraising their property. On or about April 20, 1982, Mr. Stein received word from the City Engineering Department that Mrs. Snell was refusing to allow the appraiser to come onto her property in that she had no interest in selling the property and that there was no point in the appraiser being there.

In order to have an appraiser go onto property when the property owner has refused entry, it then becomes necessary for the City to go to Superior Court to petition the Court for an Order permitting entry by an appraiser on the property.

On motion of Mayor Fred Reid, Murphy second, Council authorized the City Attorney to obtain a San Joaquin County Superior Court Order Permitting Entry on Property (CCP Section 1245.030 (a)) in order that the City may have an appraisal made of the Snell property (1011 North Cluff Avenue, Lodi) to determine the value thereof as required for the Turner Road widening project.

LAKESHORE VILLAGE  
PARCELS F THROUGH  
I TENTATIVE MAP  
APPROVED

Council, on motion of Mayor Fred Reid, Murphy second, approved the Tentative Parcel Map-Parcels F through I, Lakeshore Village with the condition that any utility alterations be at the developer's expense.

COUNCIL OPPOSES  
AB2400 (SHER) MAIL  
BALLOT ELECTIONS

As requested by the Council, a report concerning AB 2400 (Sher) Mail Ballot Elections was placed on the Agenda by the City Clerk. City Clerk Reimche apprised the Council that on March 17, 1982, the Lodi City Council by a 3 to 2 vote adopted Resolution No. 82-24 endorsing this bill. Because a Council-matic Election has been held in Lodi since the original endorsement, City Clerk Reimche asked the Council for an expression of their support or opposition to this bill. Provisions of the bill were then highlighted for the benefit of the Council by City Clerk Reimche.

On motion of Council Member Olson, Pinkerton second, Council opposed AB 2400 (Sher) - Mail Ballot Elections and directed the City Clerk to so advise Senator John Garamendi, State Committee on Elections and Reapportionment. The motion was carried by the following vote:

Ayes: Council Members - Murphy, Olson,  
Pinkerton and  
Snider

Noes: Council Members - Reid

Absent: Council Members - None

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REPORT ON AUDIT - With the tacit concurrence of the City Council,  
LODI AMBULANCE Agenda item "n" - "Report on Audit - Lodi  
SERVICE REMOVED Ambulance Service" was removed from the agenda,  
FROM THE AGENDA and continued to the July 7, 1982 regular meeting  
of the City Council.

APPROVAL OF NCPA Following introduction of the matter by City Manager  
SERVICE SCHEDULE Graves, Council on motion of Mayor Pro Tempore  
NCPA - WAPA LETTER Murphy, Snider second, adopted Resolution No. 82-58  
OF AGREEMENT approving NCPA Service Schedule - NCPA - WAPA  
letter of Agreement (for BPA Energy) and authorizing  
RES. NO. 82-58 the Mayor and City Clerk to execute the Agreement  
on behalf of the City.

AGREEMENTS FOR Following introduction of the matter by City Manager  
USE OF VARIOUS Graves, Council on motion of Councilman Pinkerton,  
LODI GRAPE AND Murphy second, adopted Resolution No. 82-59  
WINE FESTIVAL approving two Agreements with the Lodi Grape and  
FACILITIES APPROVED National Wine Show. 1) Covers the City's use of  
various Lodi Grape and Wine Festival Buildings  
and grounds for use by the City in the conduct of  
its recreational programs and 2) covers the property  
used solely for the purpose of conducting the golf  
driving range. The Council further authorized the  
Mayor and City clerk to execute the Agreements on  
behalf of the City. Further, Council authorized the  
preparation of letter agreements permitting the  
Lodi Grape and Wine Festival the use of the  
grounds north of the stadium during the Festival  
and one for special events.

RECESS Mayor Reid declared a five minute recess, and  
the Council reconvened at approximately 9:45 p.m.

1982-83 F. Y. Assistant City Manager Glenn continued his  
BUDGET PRESENTA- presentation of the 1982-83 F. Y. Budget.  
TION CONTINUED

ADJOURNMENT There being no further business to come before the  
Council, Mayor Reid adjourned the meeting at  
approximately 10:30 p.m.

Attest:

*Alice M. Reimche*  
ALICE M. REIMCHE  
City Clerk